

ORDINANCE NO. 2024-420

AN ORDINANCE OF THE CITY OF PARKER DETERMINING THE POTENTIAL NEED FOR CHANGES IN THE CITY'S ORDINANCES INCLUDING ITS LAND DEVELOPMENT REGULATIONS; DIRECTING STAFF TO ACTIVELY PURSUE PROPOSED CHANGES; SUSPENDING AND TEMPORARILY PROHIBITING THE CONSIDERATION OR GRANTING OF PERMITS FOR INSTALLATION OR CONSTRUCTION OF OFF-PREMISES SIGNS WITHIN THE CITY; PROVIDING FOR AN EFFECTIVE DATE AND DURATION.

WHEREAS, the City of Parker ("City") desires to establish uniform regulations and restrictions for land uses within the City to ensure systematic development that promotes acceptable aesthetic conditions for signage within the City;

WHEREAS, the citizens of the City, among others, benefit from the positive results of beautiful accesses into and out of the City;

WHEREAS, land use controls and restrictions on property within the City affect social, economic and aesthetic aspects of the community thereby impacting property values, health, safety, and welfare;

WHEREAS, the City has received public input and conducted certain fact-finding concerning the desirability and safety considerations of off-premises signs located on land within the City, particularly along the right-of-way forming the gateway into the City from Tyndall Air Force Base and the Main Street corridor in the subareas of the Community Redevelopment Area ("CRA");

WHEREAS, citizens of the City have given public input on the subject of preserving the pristine unencumbered views without

billboards and the potential negative impacts of certain off-premises signs;

WHEREAS, the construction or installation of any such off-premises signs on the land located within the City, particularly in Subareas of the CRA will substantially impair the picturesque appearance of the community and significantly impact the beauty of the City;

WHEREAS, based upon the foregoing, the City Council decided to temporarily suspend and hereby ratifies the suspension the permitting process for any permit application seeking a permit for the development of off-premises signs in the City, pending the adoption of an Ordinance that can set out specific criteria for reviewing applications for the construction or installation of such off-premises signs; and

WHEREAS, after considering a variety of alternatives, the City anticipates that amendments to the City ordinances may be necessary to address promote and protect property values within the City and the public health, safety and welfare of the citizens of the City;

WHEREAS, the City Council hereby instructs staff to actively pursue the development of amendments to its codes, ordinances or regulations relating to regulating new construction, erection or installation of off-premises signs;

WHEREAS, the City Council requires time to study the alternatives available to the City before adopting one or more of the amendments to the City codes, ordinances or regulations;

WHEREAS, there is no permit currently pending for the construction or installation of any off-premises signs in the City;

WHEREAS, the City Council established this moratorium by voice vote at its meeting on February 6, 2024, and desires to further ratify and evidence its decision in this Ordinance; and

WHEREAS, the City wants to alert the public about the potential policy changes that may affect aerial structures while the City reviews policies so that there should be no reliance on existing codes, ordinances and regulations that may change in the near future.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF PARKER:

Section 1. Moritorium

Beginning on February 6, 2024 and for a period of one hundred eighty (180) days thereafter, or until the adoption of an ordinance amending current codes, plans and/or regulations, whichever occurs first, no application for a permit shall be considered by the City and no permit or license shall be issued for the construction, erection or installation of any off-premises signs on land within the City.

Section 2. Appeal.

If any person or entity shall be aggrieved by this Ordinance, the aggrieved party may appeal to the City Council which shall explain the status of the ordinances under consideration and consider the specific situation of such person or entity and determine whether it is likely that the final regulations adopted by the City will prohibit the activity requested. If not, such person or entity shall be permitted to proceed with the understanding that they are nonetheless proceeding at their own risk, that the City has not taken final action, and that the final regulations may indeed proscribe the activity requested.

Section 3. Severability.

If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance. If any penalty of this section is deemed inconsistent with any Florida Statute, the provisions of the Florida Statute shall prevail.

Section 4. Scrivener's Errors.

The correction of typographical errors which do not affect the intent of the ordinance may be authorized by the City Clerk or the Clerk's designee, without public hearing.

Section 5. Ordinance to be Liberally Construed.

This ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

Section 6. Codification.

The provisions of this Ordinance may become and be made part of the Code of the City. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 7. Repeal of Conflicting Codes, Ordinances, and Resolutions.

All codes, ordinances and resolutions or parts of codes, ordinances and resolutions or portions thereof of the City of Parker, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 8. Effective Date.

This Ordinance shall take effect immediately upon its passage and shall automatically terminate at 11:59 p.m. on August 12, 2024, if not repealed by a replacement ordinance prior to its termination.

PASSED, ADOPTED AND ADOPTED at a Meeting of the City Council of
the City of Parker, Florida as of the 5th day of March, 2024.

CITY OF PARKER

Andrew Kelly, Mayor

ATTEST:

Kimberly Rega, City Clerk

Examined and approved by me, this 5th day of March, 2024.

Andrew Kelly, Mayor